



Office of:
The Governor
The Secretary
The Treasurer

PUEBLO OF LAGUNA
P.O. Box 194
LAGUNA, NEW MEXICO 87026



(505)552-6654
FAX: (505)552-6941

PUEBLO OF LAGUNA

Resolution No. 10-10

Re: Approving Application for Designation of Jackpile Mine Area as a Superfund Site

At a duly called meeting of the Laguna Pueblo Council held on the 2nd day of February, 2010, the following Resolution was adopted.

WHEREAS, the Pueblo of Laguna ("Pueblo") is a federally recognized Indian Tribe with all the inherent governmental powers of a sovereign nation; and

WHEREAS, pursuant to Article IV, Section 2 (k) of the Pueblo's Constitution, the Pueblo Council is authorized to exercise the sovereign powers of the Pueblo, including the authority to promote and protect the public health and welfare of the members and other residents of the Pueblo; and

WHEREAS, on September 29, 2009, a presentation was made to Council by staff of the EPA, Region 6 Office, in Dallas, Texas, requesting permission to conduct an Aerial Radiological Survey ("flyover") over Pueblo of Laguna lands as part of a larger survey of the Grants Mineral Belt, and

WHEREAS, the purpose of these flyovers was to identify structures and other areas that have elevated radiological activity associated with Jackpile mining activity, with the results to be analyzed by EPA and a report of the results given to the Pueblo; the data collected from this survey would allow the EPA to focus their ground resources on those areas identified with high levels of radiological activity for possible remediation; and

WHEREAS, on October 13, 2009, a government to government consultation between the Pueblo and EPA--Region 6 Office, took place, in order to begin discussions on the impacts that past uranium mining activity on Pueblo lands has had on the tribe's air, land, water and other cultural resources; EPA is looking for in this consultation process is what forms of communication can be agreed upon so that the Pueblo and EPA can have a conversation and dialog back and forth on issues of mutual concern; and

WHEREAS, during the government to government consultation, the EPA representatives were asked whether the Jackpile mine area might be eligible for listing as a Superfund site; they described the process of applying for designation as Superfund site, which requires different assessments and ranking with other sites throughout the country, a long process; and

WHEREAS, the EPA has informed the Pueblo that if it wishes to be considered for a September 2010 listing, the EPA must receive notice from the Pueblo by February 2, 2010; once

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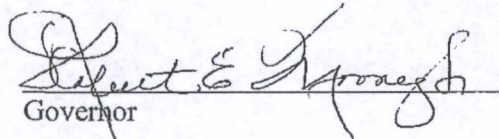


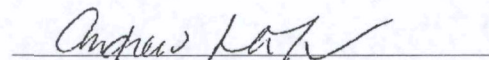
notice is received the Pueblo would begin the application process for listing on the National Priority List in September, wherein EPA would conduct a Preliminary Assessment and Site Investigation of the Jackpile mine area; and

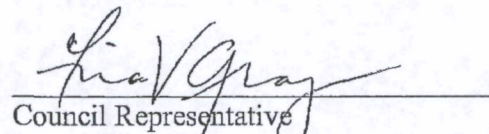
WHEREAS, the Council is committed to addressing issues of health and safety for the Pueblo and community members and has determined that it would be in the best interest of the Pueblo to apply for designation of the Jackpile Mine area as a Superfund Site.

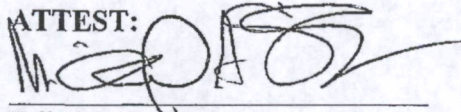
NOW, THEREFORE, BE IT RESOLVED that the Pueblo of Laguna Council hereby approves the submission of an application for listing of the Jackpile Mine area on the National Priority List, thereby designating it as a Superfund Site.

BE IT FURTHER RESOLVED that the Pueblo of Laguna Council hereby authorizes the Governor to take any and all actions necessary to convey the Pueblo's position on this matter to the EPA, and to take any necessary actions associated with the meaning and intent of this Resolution.


Governor

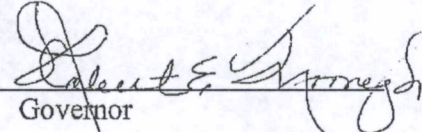

Council Representative


Council Representative

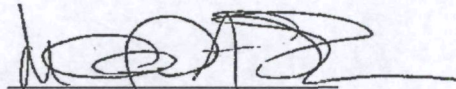
ATTEST:

Tribal Secretary

CERTIFICATION

The foregoing Resolution was enacted by the Pueblo of Laguna Council on the 2 day of February 2010, by a vote of 10 for, and 0 opposed, at a duly called meeting at which a quorum of the Pueblo Council was represented.


Governor

ATTEST:


Pueblo Secretary